

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARCON SOLUTIONS, LLC,

Plaintiff, Counter-Defendant

-against-

EAST 29th STREET, LLC, and
ESPAIS PROMOCIONS IMMOBILAIRES EPI,
S.A.,

Defendants, Counter-claimants,

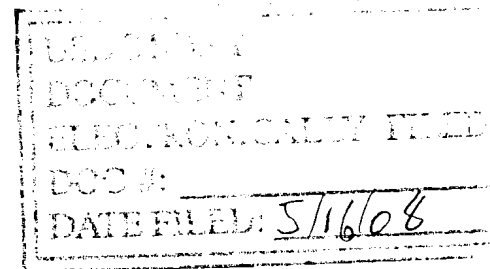
-against-

MICHAEL FALKE and MARK GEMIGNANI,

Additional Counter-Defendants.

08 CV 02050 (RMB)

**STIPULATION AND ORDER TO
EXTEND TIME TO RESPOND TO
COUNTER-CLAIMS AND CLAIMS
AGAINST ADDITIONAL PARTY
DEFENDANTS**



1. This is a request by Plaintiff/Counter-Defendant Arcon Solutions, LLC ("Arcon") and Additional Counter-Defendants Michael Falke ("Falke") and Mark Gemignani ("Gemignani") for an extension of time to respond to counter-claims and additional party claims by Defendants/Counter-claimants East 29th Street, LLC ("East 29th Street") and Espais Promocions Immobiliaries EPI ("Espais" and, collectively with East 29th Street, "Defendants/Counter-claimants") against Arcon, Falke and Gemignani. East 29th Street and Espais consent to this request.

2. A response to Defendants/Counter-claimants' counter-claims and additional party claims is currently due on May 16, 2008.

3. Defendants/Counter-claimants previously filed two requests before the Court for extensions to respond to Arcon's Complaint.

May-15-08 12:19pm From:Pryor Cashman LLP

LLP

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4. Arcon, Falke and Gemignani have agreed that they will not challenge the sufficiency of service of the summonses, counter-claims and additional party claims on either of them, and waive any defense relating to such service.

5. IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys for the parties herein, that the time in which Arcon, Falke and Gemignani have to answer, move (in accordance with this Court's Individual Practices Rule regarding motions), or otherwise respond to the counter-claims and additional party claims in the above-captioned matter is hereby extended through and including May 30, 2008.

6. This Stipulation may be executed in counter parts, each of which shall be considered to be an original instrument. Fax signatures shall be deemed to be originals.

Dated: New York, New York
May 15, 2008

ZARCO, EINHORN,
SALKOWSKI AND BRITO, PA

By: 

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Arcon Solutions LLC and Additional
Counter-Defendants Michael Falke and
Mark Gemignani*

May-15-08 12:20pm From-Pryor Cashman LLP

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T-143 P.004/004 F-544

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*Attorneys for Defendants/Counterclaimants
East 29th Street, LLC and Espais
Promocions Inmobiliaries EPI, S.A.*

SO ORDERED:

Date: May 16, 2008

The Honorable Richard M. Berman
United States District Court Judge